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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

PAULA A. POLIVKA,

Plaintiff,

v.

COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION,

Defendant.

Case No. 3:20-cv-01172-JR

**ORDER FOR FEES UNDER 42 U.S.C. §
406(b)**

Plaintiff brought this action seeking review of the Commissioner of the Social Security Administration's final decision to deny Plaintiff's application for Supplemental Security Income under Title XVI of the Social Security Act. The Court remanded the case for further administrative proceedings. ECF No. 19. On remand, Plaintiff receive a Fully Favorable decision, awarding him Supplemental Security Income.

Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Defendant has not objected to the request. The Court finds the requested fees are reasonable.

Plaintiff's motion [ECF No. 26] is granted, and Plaintiff's counsel is awarded \$8,625 in attorney fees under 42 U.S.C. § 406(b). Previously, the Court awarded Plaintiff \$6,973.98 in fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412.

When issuing the Section 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the amount previously awarded under EAJA and send Plaintiff's attorney, H. Peter Evans, the balance of \$1,651.02, less any applicable processing fee prescribed by law. The Section 406(b) check should be mailed to H. Peter Evans at the attorney's preferred mailing address.

IT IS SO ORDERED.

DATED this 4th day of October, 2024.

/s/ Jolie A. Russo
Judge Jolie A. Russo
United States Magistrate Judge

Proposed Order Submitted on October 4, 2024.

/s/ H. Peter Evans
H. Peter Evans, OSB 012532
Attorney for Plaintiff